



Defensive Driving Board

Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Hearing Room 109

08-16-2018

10:00 a.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Honorable Maria Brewer
Walter (Jack) Weberg
William (Patch) Pachnowski
Thomas L. Davis
William Riedel
Paul E. Hallums

Telephonically Present:

Margaret Stephens-Reed
Johnny Tse

Absent:

Daniel W. Edwards

OTHER ATTENDEES:

AOC Staff:

Mark Wilson
Michelle Martinez
Christopher DeWitt
Hal White
Wil Castro
William McIntyre
Jennifer Ashley
Scott McFadden
Brianna Farmer
Don Keenom

Guests:

Alex Smith
Jeremy Bottlinger
Angelic Craig
Debbie Grado
Kristi Mielke
Zhivko Zhelyazkov

CALL TO ORDER

Called to Order By:

Walter “Jack” Weberg, (Acting) Chair

Time:

10:02 a.m.

1) REVIEW AND APPROVAL OF MINUTES:

1-A: Review, discussion and possible action regarding the regular session minutes for the meeting of June 14, 2018.

Individual Addressing the Board: Walter “Jack” Weberg, Chair

Discussion: None

Motion: Consideration of and motion to accept the regular session minutes of the meeting of June 14, 2018.

Motion Proposals: First Paul E. Hallums
Second William “Patch” Pachnowski

Motion Results: Pass

2) PENDING COMPLAINTS:

2-A: Review, discussion and possible action regarding complaint number 17-D007 involving certificate holder Arizona Defensive Driving School (#58).

Individual Addressing the Board: William McIntyre

Discussion: Staff recommends that the Board accept the finding of the Probable Cause Evaluator and enter a finding that Arizona Defensive Driving School #058 has committed the alleged act(s) of misconduct. It is recommended the Board issue a censure to School #058 and further recommended that the Board dismiss Allegation 2, without prejudice.

Motion: Consideration of and motion to accept staff’s recommendation. Include authorization for the Vice Chair to sign on behalf of the Chair

Motion Proposals: First William Riedel

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| | Second | Thomas L. Davis |
| | Recused | William "Patch" Pachnowski |
| Motion Results: | Pass | |

2-B: Review, discussion and possible action regarding complaint number 17-D008 involving certificate holder Arizona Defensive Driving School (#58).

Individual Addressing the Board: William McIntyre

Discussion: Staff recommends that the Board accept the finding of the Probable Cause Evaluator and enter a finding that Arizona Defensive Driving School #058 has committed the alleged act(s) of misconduct. It is further recommended the Board issue a censure.

Motion: Consideration of and motion to accept staff's recommendation.

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| <i>Motion Proposals:</i> | First | Paul E. Hallums |
| | Second | Johnny Tse |
| | Recuse | William "Patch" Pachnowski |

Motion Results: Pass

2-C: Review, discussion and possible action regarding complaint number 18-D005 involving certificate holder Arizona Driving School (#425).

Individual Addressing the Board: Don Keenom

Discussion: Staff recommends the Board accept the finding of the Probable Cause Evaluator and enter a finding AZ Driving School, school #425 has committed the alleged act(s) of misconduct. It is further recommended the Board issue a censure.

Motion: Consideration of and motion to reject staff's recommendation and issue a 30 day suspension.

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| <i>Motion Proposals:</i> | First | Thomas L. Davis |
| | Second | Paul E. Hallums |
| | Opposed | Honorable Maria Brewer |
| | Recuse | Walter "Jack" Weberg, Chair |

Motion Results: Pass

Motion: Authorization for William Riedel to sign on behalf of the Chair.

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| <i>Motion Proposals:</i> | First | Paul E. Hallums |
| | Second | Honorable Maria Brewer |

Motion Results: Pass

2-D: Update regarding the status of pending complaints.

Individual Addressing the Board: Michelle Martinez

Discussion: As of August 16, 2018, there are currently 11 open complaints, 3 of which have been presented on this agenda with dispositive recommendations under agenda items 2-A, 2-B, and 2-C.

3) INITIAL CERTIFICATION AND ELIGIBILITY:

3-A: Review, discussion and possible action regarding pending application for initial certification for SOS Safe Driving Online School.

Individual Addressing the Board: Christopher DeWitt

Discussion: Staff recommends initial certification be granted to SOS SAFE DRIVING ONLINE SCHOOL, stipulating the school operate under ACJA 7-205 in effect until October 31, 2018.

Motion: Consideration of and motion to accept staff's recommendation

Motion Proposals: First Johnny Tse
Second William Riedel

Motion Results: Pass

3-B: Review, discussion and possible action regarding pending application for initial defensive driving instructor certification for the following applicants:

- 1. Jeffrey Hallums***
- 2. Walter Stone***

Individual Addressing the Board: Wil Castro

Discussion: Division recommends approval of initial defensive driving instructor certification for Jeffrey Hallums

Motion: Consideration of and motion to accept staff's recommendation

Motion Proposals: First William Riedel
Second William (Patch) Pachnowski
Recuse Paul E. Hallums

Motion Results: Pass

Individual Addressing the Board: Wil Castro

Discussion: Division recommends approval of initial defensive driving instructor certification for Walter Stone

Motion: Consideration of and motion to accept staff's recommendation

Motion Proposals: First William Riedel
Second Paul E. Hallums

Motion Results: Pass

4) RENEWAL CERTIFICATION APPLICATIONS:

4-A: *Review, discussion and possible action regarding the following pending applications for renewal of defensive driving instructor certification:*

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| 1. <i>Ah Sing Claude</i> | 10. <i>Porter, Paul</i> |
| 2. <i>Bitner, Jeffrey</i> | 11. <i>Villanueva, Felix</i> |
| 3. <i>Campbell, Mark</i> | 12. <i>Wright, Michael</i> |
| 4. <i>Gammill, Thomas</i> | 13. <i>Zahara, Jan</i> |
| 5. <i>Hemshrot, Deborah</i> | 14. <i>Zamudio, Crispin</i> |
| 6. <i>Hernandez, Arnold</i> | 15. <i>Zhelyazkov, Zhivko</i> |
| 7. <i>Hernandez, Valentino</i> | 16. <i>Biasiucci, Mario</i> |
| 8. <i>Jones, Hugh</i> | 17. <i>Zahara, Joseph</i> |
| 9. <i>Morrison, Donald</i> | |

Individual Addressing the Board: Hal White

Discussion: Recommended that standard certification be granted to the following individuals Numbers 1-10 and 12-15, and defer Number 11.

Motion: Consideration of and motion to accept staff's recommendation

Motion Proposals: First Paul E. Hallums
Second William Riedel
Recuse Walter (Jack) Weberg as to Nos. 1, 6 and 13

Motion Results: Pass

Individual Addressing the Board: Hal White

Discussion: Recommended that renewal of standard certification be granted to Mr. Mario Biasucci, with standard non-disclosure language.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Thomas L. Davis
Second William (Patch) Pachnowski
Motion Results: Pass

Individual Addressing the Board: Hal White

Discussion: Recommended that renewal of standard certification be granted to Mr. Joseph Zahara.

Motion: Consideration of and motion to accept staff's recommendation

Motion Proposals: First William (Patch) Pachnowski
Second William Riedel
Recuse Walter (Jack) Weberg
Motion Results: Pass

5) ADMINISTRATIVE ISSUES:

5-A: Discussion regarding standardization of webpage language concerning live class start and end times.

Individual Addressing the Board: Mark Wilson

Discussion: Staff and Board Members discussed multiple ideas and proposed solutions. Staff will bring AOC recommendation to next board meeting.

5-B: Discussion regarding issues identified through instructor monitoring.

Individual Addressing the Board: Mark Wilson

Discussion: Staff and Board Members discussed monitoring checklist, issues that are not code compliant and possible changes on the monitoring form. If board members have suggestions on modifications to the form, they can submit them to staff for review. Staff will bring suggestions to next board meeting.

5-C: Update regarding August 3, 2018 Instructor Training.

Individual Addressing the Board: Mark Wilson

Discussion: Discussion regarding direction of concerns toward staff/appropriate individuals, as opposed to Court Education Services or volunteer trainers.

5-D: Update regarding minimum security standards for defensive driving schools.

Individual Addressing the Board: Mark Wilson

Discussion: Posted and sent out email with IT security standards draft to school owners for review and comment until the end of August.

5-E: Review, discussion and possible action regarding the defensive driving school certification renewal application deadline

Individual Addressing the Board: Mark Wilson

Discussion: Staff recommends the board establish the renewal application period beginning September 1, 2018 through October 31, 2018.

Motion: Consideration of and motion to accept staff's recommendation

Motion Proposals: First William (Patch) Pachnowski
Second William Riedel

Motion Results: Pass

5-F: Review, discussion and possible action regarding scheduling a tentative meeting for November 5, 2018.

Individual Addressing the Board: Mark Wilson

Discussion: If necessary, any issues surrounding November 1, 2018 code change may be addressed in a meeting on November 5, 2018.

CALL TO THE PUBLIC

Individuals Addressing the Board: William (Patch) Pachnowski – Board Member
Alex Smith – Public Member
Waylin Martin – Public Member
Kristy Milky – Public Member

ADJOURNMENT

Motion: Move to adjourn.

Motion Proposals: First William Riedel
Second Thomas L. Davis

Motion Results: Pass

Time: 11:53 am

Initials: JA